

A. STATE-AT-A-GLANCE

1)	Program Operation	State-operated
2)	Number of Local Offices (excluding Agencies under Cooperative Agreements)	8
3)	Type of Agencies with Cooperative Agreements	Sheriff's Department; Clerk of Court; Family Law Referee; County attorney; private company
4)	Uniform Interstate Family Support Act	A.R.S. 12-1721-1756 July 1, 1995 Direct Wage Withholding
5)	Agreements With Tribal Entities	Colorado River Tribe
6)	Age of Majority for Termination of Support	18; except if child's birthday occurs during school year, and he is attending school; in which event, support continues while the child is actually attending high school; additional exception exists for handicapped children over 18 under certain circumstances
7)	Statutes of Limitation:	
	• Collection of Past Due Support	Action must be taken within 3 years of date of emancipation of youngest child
	• Paternity Establishment	Upon child attaining age 18
	• Dormancy Revival/Renewal Possible (yes/no)	None
8)	Guidelines	1. Income shares approach using pre-determined schedule adopted by State Supreme Court 2. Proportionate shares of adjusted gross income using pre-determined schedule adopted by State Supreme Court
9)	Interest Rates on	
	• Missed Payments	1. Simple Interest: 6% for arrears/judgments prior to 12/14/79; 10% 12/15/79 and after 2. By operation of law 10% per annum
	• Retroactive Support	Same
	• Adjudicated Arrearage	1. Same 2. 6% per annum prior to 1979, 10% per annum presently

10)	Arrearage Collections for Non-minor Child(ren)	<p>1. Yes; through realty liens, ex parte wage assignments, wage and non-wage garnishments, orders to appear/show cause; limited use of attachment and execution</p> <p>2. Must be reduced to money judgment within 3 years of emancipation</p>
11)	Distribution Scheme	
	<ul style="list-style-type: none"> AFDC Arrears 	<p>First to current support, then to current spousal maintenance (if multiple cases, proportionately among cases), then to AFDC arrears, then to Non-AFDC arrears.</p> <p>Effective 6/1/96, arrears payments will be divided proportionately to AFDC and Non-AFDC arrears.</p>
	<ul style="list-style-type: none"> Non-AFDC Arrears 	See AFDC arrears, above
12)	Procedures Regarding Medical Support Using Income Withholding	
13)	New Hire Reporting	<p>1. Voluntary Program A.R.S. 23-722.01-Requires the Department of Economic Security (DES) to ensure timely implementation of wage withholding and to identify welfare fraud. This statute does not apply to employees who will work less than 22 hours per week for a six month period, or earn less than \$300 dollars each month. Employers can use any medium and format they desire to report new hires. Reports should be submitted within 15 days of hiring or rehiring. A form has been developed that contains all of the necessary information to report. This information will be purged once each quarter.</p>
14)	Recovery of Costs Elected Under State Plan	NO
15)	Recovery of Costs for Initiating State	NO
16)	Long-Arm Statute/s Citation/s	A.R.S. §12-1723
17)	Automated Locate Resources	MVD, FPLS, Job Service, Credit Bureau, Job Service, Unemployment Insurance, Department of Revenue, Hospital Based Paternity Program, IV-A, Department of Corrections
18)	Enforcement Options	
	<ul style="list-style-type: none"> State Income Tax Refund Intercept 	Yes

•	License Revocation/ Suspension	Yes
•	Administrative Liens	Yes
•	Property Seizure & Sale	Yes
•	State Funds/Benefits (please specify)	Yes; through Non-Periodic Order of Assignment
•	Other (please specify)	
19)	Spousal Maintenance Orders <i>(specify yes or no)</i>	
•	Establish	No
•	Enforce	Yes; if included in child support order
•	Modify	No
20)	Current Spouse/Partner Information Required	No

B. UNIFORM INTERSTATE FAMILY SUPPORT ACT

1)	State Code Citation	AZ Revised Statute (A.R.S.) 12-1721 through 1756
2)	Effective Date	July 1, 1995
3)	Adopted Verbatim? If no, list differences.	Excludes provision for criminal bench warrant. Includes civil arrest warrant.
4)	Repeal URESA?	No; Co-exists with UIFSA
5)	Repeal IWW?	No

C. INCOME WITHHOLDING

1)	Income Withholding Terminology	Order of Assignment, Wage Withholding
2)	Income Withholding Procedures	Yes

<ul style="list-style-type: none"> State Withholding Limits 	Up to 50% of disposable income per state statute
<ul style="list-style-type: none"> Fee Charged by Employers 	Statutory; up to \$3.00 per pay period
<ul style="list-style-type: none"> Date to Remit 	Within 10 days after the date the employee is paid. After July 1996, the date to remit will be changed to two days.
<ul style="list-style-type: none"> Penalty 	None
3) Definition of Employer	Payer of earnings, income, entitlements or other moneys
4) Included Income	No Limitations
5) Excluded Income	None
6) Direct Income Withholding for Unemployment Compensation, include address	Yes; Division of Child Support Enforcement, P.O. Box 40458, Site Code 966C, Phoenix, Arizona 85012 Attention: Olivia Reed, IV-D UI Coordinator
7) Direct Income for Workers' Compensation, include address	No
8) Direct Income Withholding, other income sources subject to, include address	None
9) Direct Income Withholding, list Other Income Sources NOT subject to	None
10) Federal Withholding (See Federal Pay Agents Section)	IV-D Directors need not answer this question.
11) Procedures for Contesting Income Withholding	UIFSA; an obligor may contest the validity of a direct income withholding order issued in another state in the same manner as if the order had been issued by a tribunal of Arizona.
12) Arrearages through Income Withholding	Yes
13) Enforcing Against Non-Resident Obligor Asset/Income	Yes
14) Exception to Immediate Withholding	Prior to 1988, Post 1988 no exceptions
15) Multiple Obligations Withholding Priorities	
<ul style="list-style-type: none"> Policy 	Each support order shall be allocated a portion of the non-custodial parent's monthly disposable income

<ul style="list-style-type: none"> Priority 	When determining allocations, priority shall be given to current support orders
<ul style="list-style-type: none"> Assistance 	Customer Service Unit P.O. Box 3822 Phoenix, Arizona 85030 Tel: (602)252-4045 Fax: (602)248-3126
<ul style="list-style-type: none"> Allocation 	<p>The amount to be withheld for each current support order shall be achieved by:</p> <p>Adding all the support orders together to determine the Total Ordered amount, and dividing each order by the Total Ordered amount to obtain a percentage share for each individual order. The available withholding amount is then multiplied by the percentage share from each order, which determines the allocated amount for that particular order</p>

D. PATERNITY

1) Interstate Paternity Procedures	1. Alleged father is contacted to attempt expedited procedure including a voluntary genetic test; if these fail, summons and complaint are issued and case processed through court; encourage initiating States to use own long arm statute if available and appropriate
Consent Orders Obtained	Yes
2) Uniform Parentage Act	No
3) Uniform Act on Blood Testing	No
4) Parentage Order Available Without Order for Support	Yes
5) Custody/Visitation Addressed Subject to Tribunal's Jurisdiction	
6) Genetic Test Results as Presumption of Paternity	Yes 95%
Threshold	95% or greater
7) Paternity Acknowledgment as Presumption of Paternity (Rebuttable/Conclusive)	Yes

8)	Marriage as Presumption of Paternity	Where birth of child occurred during marriage or within ten months of divorce or legal separation
9)	Putative Father's Name on Birth Certificate, Effect of	1. Once paternity is established, court may, as part of judgment and order, order clerk to forward copy of judgment and order to Bureau of Vital Statistics which is ordered to reflect entry of paternity; fee must be paid by parent to Bureau before change made
10)	Other Statutory Presumptions	Yes
11)	Recognition of Common Law Marriage	Yes; although it cannot be contracted in AZ, AZ recognizes common-law marriage validly contracted in another jurisdiction; standard is capacity of parties to marry, present marriage agreement; and holding out of each other to public as husband and wife; no particular words necessary; conduct consistent with such agreement sufficient
12)	Personal Appearance of Witness or Custodial Parent Required	No, unless proof of paternity cannot be established without that party's presence
	Acceptable Methods of Testimony	Affidavit of custodial parent in URESA/UIFSA actions; telephonic appearance may be permitted if no objection from opposing party raised
13)	Long-Arm Statute	A.R.S. §12-1723
14)	Assistance to Other States Using Their Long-Arm Statutes	
	• Service of Process	No
	• Genetic Testing	Yes
15)	Recovery of Genetic Testing Costs for Other States	Yes

E. SUPPORT ORDER ESTABLISHMENT

1)	Interstate Procedures	Upon receipt, case processed in same manner as local case, using all procedures and techniques. Initiating jurisdiction must request "fair and equitable" support award for AZ guidelines to apply
2)	Income Considered for Setting Support	1. Special medical needs of the child cost; cost of providing health insurance for the child; child care costs; CP's gross income/assets;; age of child; AP's gross income/assets;; second family involvement 2. Adjusted gross income of both parents

3)	Criteria for Rebuttal	No
4)	Support Order for Prior Periods	<p>In post-paternity cases, a retroactive application of the guidelines to the date of birth of the child is used to direct the amount the defendant pays for the past support of the child.</p> <p>In marital cases, a retroactive application of the guidelines to the date of filing a dissolution of marriage the amount the parents pay for the past support of the child.</p>

F. ENFORCEMENT

(Note: If multiple orders, see Part “G”)

I. ENFORCING YOUR OWN ORDER

1)	Enforcement for Non-Resident Family	Yes
2)	Administrative Procedures and Remedies Available	Yes
3)	Judicial Procedures and Remedies Available with Registration	Yes

II. ENFORCING OTHER STATES’ ORDERS

4)	Administrative Procedures and Remedies Available Without Registration	Yes; A support enforcement agency may use any administrative procedure authorized by the law of Arizona to enforce a support order or an income withholding order, or both.
5)	Judicial/Administrative Remedies with Registration	Yes; A support order or an income withholding order issued by a tribunal of another state may be registered in this state for enforcement, and is subject to the same procedures as an order issued by a tribunal of Arizona,
6)	UIFSA/URESA Registration and Enforcement Procedure	Yes; A support order or income withholding order of another state may be registered by sending a transmittal and two copies, one certified, of all orders to be registered, including any modification of an order, and a certified statement of payments received by the custodial parent showing any arrearage.
7)	Judicial Procedures Required after Registration	None
8)	Uniform Enforcement of Foreign Judgments Act Citation	Yes

G. MODIFICATION/REVIEW & ADJUSTMENT OF ORDERS

1)	Jurisdiction Requirements	None
2)	Modification Procedures	<p>1. Two procedures: “Simplified” requires filing several court approved forms, notice to other party and a request for hearing; “Standard” requires filing of “Order to Show Cause” with accompanying “Comparative Spouse Affidavit” and opportunity for hearing</p> <p>2. Three procedures: “Simplifies”; requires several forms to be filed with the court and served upon both parties. “Order to Show Cause” compels the parties to appear at a hearing regarding modification of an existing order. “Conference”; both parties attend a conference to agree to a new support amount based on Guidelines.</p>
3)	Criteria for Modification	A variance of 15% or greater from current support order, continuing and substantial change in financial circumstances.
4)	Criteria for Change of Circumstances	<p>1. Modification amount sought must minimally deviate at least 15% from existing order</p> <p>2. Financial circumstances must indicate the amount sought deviates by a minimum of 15% from the current existing order, and that this substantial circumstantial change will be ongoing. Change must be for a period of greater than 3 consecutive months.</p>
5)	Frequency With Which Reviews are Conducted	<p>1. Every 3 years</p> <p>2. Public Assistance cases are reviewed every 3 years. Non-Public Assistance cases are reviewed on a per request basis, and upon a substantial continuing change in circumstances.</p>
6)	Criteria for Review	<p>1. An increase or decrease of 15% from the current order, circumstances must be substantial and continuing</p> <p>2. 3 years since last review, or substantial continuing change in financial circumstances of the payer. Medical coverage is not addressed in the current order.</p>
7)	Criteria for Adjustment	The application of Guidelines against the current support order must result in a variance of 15% or greater. The lack of a medical support provision in an order is a reason, on its own, to adjust the order.

H. MULTIPLE ORDERS

ENFORCEMENT AND MODIFICATION

1)	Controlling Order	Continuing exclusive jurisdiction provides for only one support order at a time, or the order to be prospectively enforced.
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2) Date of Controlling Order	A state tribunal has CEJ as long as the obligor, the individual obligee, or the child continue to live in the State that issued the order; (issue date of order) or until the obligor and obligee provide written notice to the original issuing tribunal that they are consenting to a modification of the new order in a tribunal in another state and recognize that the new tribunal will assume CEJ.
3) If No Controlling Order	The tribunal with personal and subject matter jurisdiction that issues the first child support order, excluding temporary orders, assumes CEJ over the support order. This initial (new) order becomes the controlling order
4) Arrears Procedure	<p>Yes; When there is only <u>one</u> child support order, calculate the arrearages according to current arrears policy. When more than one order exists, obtain certified copies of all court orders and payment histories.</p> <p>When there are <u>two</u> orders and the second order modifies the underlying order, calculate the arrearages based on the first order until the time the modification became effective. When the underlying order has been modified, calculate the arrearages based on the new order.</p> <p>When there are more than two orders covering the same time period, calculate arrearages under the highest child support order. If orders are not in existence at the same time, calculate arrearages of each order while in effect.</p> <p>The obligee is entitled to arrears based on the highest existing child support order from the time the order was issued until a UIFSA determination is made about the controlling order.</p>

I. Documentation Required to Initiate Requests

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Establishment of Paternity and Support	Child Support Enforcement Transmittal #1 - Initial Request	1	E
	Uniform Support Petition	1	A
	Affidavit in Support of Establishing Paternity	1	A
		1	A
	General Testimony	1	C
	(URESAs) Certificate & Order		

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Enforcement of Responding State's Order	Child Support Enforcement Transmittal #1 - Initial Request Copies of Court Orders and Pay Histories General Testimony	1 1 1	E C A
Modification of Responding States' Orders	Child Support Enforcement Transmittal #1 - Initial Request Uniform Support Petition General Testimony	1 1 1	E A A
Administrative Enforcement of Another States' Order *	Interstate Transmittal #1 Copies of orders (For Registration Only) General Testimony (For Registration Only) If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity of the order, the agency shall register the order.	1 2 1	E (1)C A
Registration for Enforcement of Another States' Order	Interstate Transmittal #1 Copies of all orders to be registered, including any modification of an order, and payment histories General Testimony	1 2 1	E (1)C A

ACTION REQUESTED	DOCUMENTS NEEDED	# of Copies of each docu- ment	Certifi- cation required for each docu- ment *See below
Collection of Arrearages in Multiple Orders	Copy of all Court Orders and Payment Histories	1 each	A, B, or C
Uniform Enforcement of Foreign Judgments Act	Authenticated copy of the foreign judgment; address of judgment debtor; and name and post office address of judgment creditor	1	C
Modification of Another State's Order	Child Support Enforcement Transmittal #1 - Initial Request Uniform Support Petition General Testimony	1 1 1	E A A
Status Update on an Existing Interstate Case	Child Support Enforcement Transmittal #2 - Subsequent Actions	1	E
Assistance/Discovery	Child Support Enforcement Transmittal #3 - Request for Assistance/Discover	1	E
Quick Locate	Locate Data Sheet	1	E

**A= Notarization by Notary Public; B= Certification by signature of agency official;
C= Certification by signature of court official; D= Others (please specify);
E= Certification not required*

J. State Contact Chart

ASSISTANCE NEEDED	CONTACT Name, Title, Address, Phone, Fax, E-mail (include 800 if applicable)
State Information Agent	CUSTOMER SERVICE UNIT P.O. Box 3822 Phoenix, Arizona 85030 (602) 252-4045 Fax: (602)248-3126
Central Registry	CUSTOMER SERVICE UNIT P.O. Box 3822 Phoenix, Arizona 85030 Ph: (602)252-4045 Fax: (602) 248-3126
Interstate Policy Contact (if different)	Carol Brownell/Policy Unit P.O. Box 40458 Phoenix, Arizona 85067 Ph: (602)274-7951 Fax: (602)274-8250
Contact for Information Regarding Your States Long Arm Statute and Process	POLICY & PROCEDURES UNIT P.O. Box 40458 Phoenix, Arizona 85067 Ph: (602) 274-7951 Fax: (602)274-8250
Contact for Information Regarding Collection and Distribution (State level)	POLICY & PROCEDURES UNIT P.O. Box 40458 Phoenix, Arizona 85067 Ph: (602) 274-7951 Fax: (602)274-8250
Contact to Obtain Payment Records	CUSTOMER SERVICE UNIT P.O. Box 3822 Phoenix, Arizona 85067

	Ph: (602)252-4045 Fax: (602)248-3126
Contact to Obtain Copy of Order	<p>CUSTOMER SERVICE UNIT</p> <p>P.O. Box 3822</p> <p>Phoenix, Arizona 85067</p> <p>Ph: (602)252-4045 Fax: (602)248-3126</p>
Contact for States Using Their Long Arm Statutes or Continuing Exclusive Jurisdiction (no “case” in your State) for	
<ul style="list-style-type: none"> Service of Process <p>(private process server? If so , list)</p>	<p>Michael J. Fleming</p> <p>Private Process Services</p> <p>Statewide Services</p> <p>Court Messenger Service</p>
<ul style="list-style-type: none"> Genetic Testing <p>(e.g. assistance with interstate teleconferencing)</p>	<p>CUSTOMER SERVICE UNIT</p> <p>P.O. Box 3822</p> <p>Phoenix, Arizona 85030</p> <p>(602) 252-4045</p>
New Hire Reporting Contact	<p>Donn Moeller</p> <p>P.O. Box 40458</p> <p>Phoenix, Arizona 85067</p> <p>Ph: (602) 265-9440</p> <p>Fax: (602) 248-3126</p>
Employer Assistance Contact	<p>Donn Moeller</p> <p>P.O. Box 40458</p> <p>Phoenix, Arizona 85067</p> <p>Ph: (602) 265-9440 Fax: (602)248-3126</p>
Telephone Number for Automated	No

Interstate Case Status Requests (if any)	
Telephone Number for Automated Interstate Case <i>Payment</i> Requests (if any)	No
Privatization Contact	Pama Tucker